THE STATE OF THE ING

IN RE: PETITION FOR ADMIN. VARIANCE

E/S Linwen Way, 415' N centerline Walter Avenue 11th Election District 5th Councilmanic District (14 Linwen Way)

Paul D. & Karen O. Wallace Petitioners BEFORE THE

DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 00-279-A

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by Paul and Karen Wallace, property owners, for that property known as 14 Linwen Way in the Perry Hall area of Baltimore County. The Petitioners herein seek a variance from Section 1B01.2.C.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section V.B.5.a of the Comprehensive Manual of Development Policies (C.M.D.P.), to permit a rear yard setback of 33 ft. in lieu of the required 35 ft. to the tract boundary for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386 Fax: 410-887-3468

February 4, 2000

Mr. & Mrs. Paul Wallace 14 Linwen Way Baltimore, Maryland 21236

Re: Petition for Administrative Variance

Case No. 00-279-A Property: 14 Linwen Way

Dear Mr. & Mrs. Wallace:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

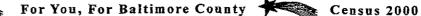
Musty 16troco

ТМК:гаі Enclosure

Ms. Robin Dee/Mr. Brian Hensen 86 John Street, Unit B Westminster, Maryland 21157



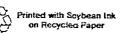














Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	14	Lipwen	Way	Bourmoné	Md
which	h is p	resently zo	ned	DIR 3.5	

This Petition shall be filed with the Department of F	Permits and Development Management. The undersigned, lega
owner(s) of the property situate in Baltimore County and	d which is described in the description and plat attached hereto and
made à part hereof, hereby petition for a Variance from	Section(s) 1301.2. C.2.a (BCZR) and
Section V. B. S. a (CMDP) to	permit a rear yard setback of
	•
33 ft, in lieu of the r	equired 35 ft, to the tract boundary
of the manifest was all the second Politics and County to the second	in the ED time of Court for the record indicated on the book
of this petition form.	ning law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by I, or we, agree to pay expenses of above Variance, advertising regulations and restrictions of Baltimore County adopted purs	ng, posting, etc. and further agree to and are to be bounded by the zoning
, ,	•
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
	Paul O. Wallace
Name - Type or Print	Name Type of Print
Signature	Signature Signature
ngnature	KAREN D. WALLACE
Address Telephone No). Name - Type or Print
	Karen O. Wallace
City State Zip Code	
<u> Attorney For Petitioner:</u>	14 Linwen WAy (Hm) 410-529-3875 Address Telephone No.
Name - Type or Print	City State Zip Code
The state of the s	Representative to be Contacted: 410 - 756-16
Signature	ROBIN Dee OR BRIAN HENSEY
Company	Name
Address: Telephone No.	X (a John StReet Unit D 85/-782 Address Telephone No.
Address Telephone No.	Address 1 elephone No.
City \$ State Zip Code	e City State Zip Code
A TO COME II	to be required, it is ordered by the Zoning Commissioner of Baltimore County.
this / day of that the subject matt	ter of this petition be set for a public hearing, advertised, as required by the zoning
estifations of Baltimore County and that the property be reposted.	
57	· · · · · · · · · · · · · · · ·
	Zoning Commissioner of Baltimore County
CASE NO. <u>00-279-A</u>	Reviewed By BR Date 1/5/00
REV 9115198	Estimated Posting Date
. Table 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	

ffida Vit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

14 Luner Land

That the Affiant(s) does/do presently reside at		LINWERS	WAY		λ
	Address BACT	mare	mi		21236
~ .	City	TITORE	State		Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardshi			which I/we base	the request for an	Administrative
ADDING A SUNROOM TO					•
35' SET BACK, We out	Ly Hav	IE 33.	We no	ed a Vari	once of
2-0" BECAUSE THE T	Esign	OF 71	te domê	this	,
15 the only AREA TO	ADD	ON TH	is ADDI	TIONAL NE	そりもり
SPACE.					
		-			
• • •	,				
That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a	rmal dema additional in	nd is filed, At formation.	ffiant(s) will be	required to pay a	reposting and
Manto la Vallando	1	, Va.	2 11 11		
Signature Sullare	· ·	Signature	en D. Walle		
$\Omega + \Omega + \Omega + \Omega$	1	V.)AllACE	
Name - Type or Print		Name - T	voe or Print	JAIIHZE	
Planto - Typo ot t talk			, p. 0. 1		
STATE OF MARYLAND, COUNTY OF BALTIN	ORE, to wi	 t:			
I HEREBY CERTIFY; this 28 4 day of of Maryland, in and for the County aforesaid, per	BOBM B	Se, beared	1999 , before	e me, a Notary Pub	lic of the State
KAREN D. WALLACE	AND	PAIL	D. WAL	LACIE.	
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	factorily ide	ntified to me a	as such Affiant(s	s), and made oath	in due form of e and belief.
AS WITNESS my hand and Notarial Seal					
AS WITNESS my hand and Notarial Seal BOBMBER 28, 1991 NOTAR	MILLER	Sandra	B. Rusan B	Han	
Date	SE N	otary Public	SANDRA B	. RUTAN	
	L ZE M	y Commission	Expires	ARCH 1,20	102
Date REN 09 15 98 WELICATION OF CO.		10 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -			
MINIORE CO.	MITHE				
	,*				

fidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	14 Linwen Way Address
.	Address BACTIMORE Nd 2/336 City State To Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	ring are the facts upon which I/we base the request for an Administrative or practical difficulty):
ADDING A SURROUM TO	REAR OF RESIDENCE ZONNIG REQUIRES
35' SET BACK, WE OR	REAR OF RESIDENCE. ZONNIG REQUIRES
of 2'0". BECAUSE TH	HE DESIGN OF THE HOME, this
1s the only APEA TO	ADD ON THIS ADDITIONAL NEEDED
SPACE.	
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide ac	mal demand is filed, Affiant(s) will be required to pay a reposting and
advertising fee and may be required to provide ad	
Paul O. Walle	✓ Kauen D. Wallace
Signature	Signature Karen D. Wallace
Name - Type or Print	Name - Type or Print
======================================	
STATE OF MARYLAND, COUNTY OF BALTIMO	
of Maryland, in and for the County aforesaid, pers	ECENLBER 1999, before me, a Notary Public of the State sonally appeared
KAREN D. WALLACE	AND PAUL D. WALLACE
the Affiant(s) herein, personally known or satisfallaw that the matters and facts hereinabove set for	actorily identified to me as such Affiant(s), and made oath in due form of rth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	•
No Wind and Notation Country in the National Country i	».
DICENSER AS 1999 DATE	Notary Public SANDRA B. RUTAN
E O LOTARIA	My Commission Expires <u>MARCH 1, 2002</u>
DICENSER AS 1999 NOTAR DATE OF THE PROPERTY OF	O'N IN
MIN MODE CO.	MINITE TO SECOND SE
Manual III	<i>y.</i>



CASE NO. 00-279-A

REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at	14 LINWEN WAY	Bartimere Md
	h is presently zoned	D.R 3,5

	for the property l	located at 14 Linuar Way	Bactimene Mid
		which is presently zoned _	D.R 3,5
This Petition shall be filed with the Depowner(s) of the property situate in Baltimor made a part hereof, hereby petition for a V	re County and which ariance from Section	is described in the description and p	lat attached hereto and
Section V.B. S.a (CMDF) to permi	't a rear yard set	-back of 33 f
in lieu of the requi	red 35 ft.	to the tract bounda	ry.
of the zoning regulations of Baltimore Coulof this petition form. Property is to be posted and advertised as	prescribed by the zo	oning regulations.	
I, or we, agree to pay expenses of above Varia regulations and restrictions of Baltimore County	ince, advertising, postii	ng, etc. and further agree to and are to b	e bounded by the zoning
		I/We do solemnly declare and affirm, perjury, that I/we are the legal owner(sis the subject of this Petition.	under the penalties of s) of the property which
Contract Purchaser/Lessee:		<u>Legal Owner(s):</u>	
Name - Type or Print	· · ·	Pay O. WALLACE Name Spe or grint War O. W. Willing	
Signature		Signature / D. I DAWACE	
Address	Telephone No.	Name - Type or Print Kaw O, Wallas	
City State	Zip Code		410-347-4925
Attorney For Petitioner:	•	14 LINWEN WAY (Hm) Address	7/0-529-3872 Telephone No.
Name - Type or Print	<u>.</u>	EACTIMORE MIC City St	<u>2/ 2/236</u> ate Zip Code
Signature		Representative to be Contact	//
Company		Rober Die or BRIAN	410-756: 1623 ever 416)857-7829 de
Address	Telephone No.	Address // Address // Way & W	Telephone No.
City State	Zip Code	City St	ate Zip Code
A Public Hearing having been formally demander this day of that regulations of Baltimore County and that the property		petition be set for a public hearing, advertise	d, as required by the zoning
,	•	Zoning Commissioner of Baltimo	re County

Estimated Posting Date

Zoning Description 00.279.A

ZONING DESCRIPTION FOR 14 Linwen Way

Beginning at a point on the *east* side of *Linwen Way* which is *50 feet* wide at the distance of *550 feet* North of the centerline fo the nearest improved intersecting street *Walter Ave* which is *50 feet* wide. Being Lot # *32* in the subdivision of *Lindale* as recorded in Baltimore County Plat

Book # *SM58*, Folio # *28*, containing *6,100 square feet*. Also known as

14 Linwen Way and located in the 11th Election District, 5th Councilmanic District.

Typical metes and bounds: N. 11 36' 33" E. 100.0 ft., N. 78 23' 27" W. 61.0ft., N. 11 36' 33" E. 100.0ft., N. 78 23' 27" W. 61.0 ft. to the place of beginning.

			Mrylan			CASHIER'S VALIDATION
No. 67.79	5.0			1) Variable		OCO H W I
TY, MARYLAND FINANCE RECEIPT	ACCOUNT	AMOUNT \$ 50,00	1. SCA50AS	5 010 Zuning	,	PINK - AGENCY YELLOW - CUSTOMER
P - 'TIMORE COUNTY, MARYI L ,CE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 1/5/00	, ,	RECEIVED COLVE	POR		WHITE - CASHIER PINK - A

CERTIFICATE OF POSTING

RE: CASE #00-279-A
PETITIONER/DEVELOPER
(Paul Wallace)
DATE OF Closing
(Jan 31, 2000)

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at

14 Linwen Way Baltimore, Maryland 21236_____

The sign(s) were posted on_____ 1-14-00 _____

[Month, Day, Year]

•
The state of the s
TROUGHT CONTRACTOR OF THE CONT
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Sincerely,
Ohomo Del Itiy
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 00- 279 -A Address 14 Linuer Way
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391 Planner, Please Print Your Name
Filing Date: $1/5/60$ Posting Date: $1/14/60$ Closing Date: $1/31/60$
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 00- 279 -A Address 14 Linwen Way
Petitioner's Name Paul & Karen Wallace Telephone 410-857-7829
Posting Date: 1/3/00 Closing Date: 1/3/00
Wording for Sign: To Permit a rear yard setback of 33 ft. in lieu
of the required 35 ft.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 00-279-A
Petitioner: Paul & KAREN WALLACE
Address or Location: 14 Linux Way BACTIMORE Md 21236
,
PLEASE FORWARD ADVERTISING BILL TO:
Name: Southside Bullers Inc.
Address: 86 John Street Unit B
Westminster, Md 21157
Telephone Number: 410 - 857-7829
AUN' ROBIN DEE

Revised 2/20/98 - SCJ

Hearing 1/31/00

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: January 21, 2000

Department of Permits & Development

Management

RECEIVED JAN 2 7 2000

FROM:

Bobert W. Bowling, Supervisor Fureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

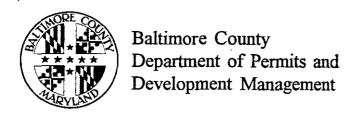
for January 24, 2000

Item Nos. 273, 274, 276, 277, 279 280, 281, 282, 283, 284, and 285

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353

Fax: 410-887-5708

February 1, 2000

Mr. Brian Hensell 86 John Street, Unit B Westminster MD 21157

Dear Mr. Hensell:

RE: Case Number 00-279-A, 14 Linwen Way

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 5, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams

Administrator

Date: 1.12.00

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 279

BR

RECEIVED JAN 1 4 2000

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

f. J. Holl

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

My telephone number is _____

AV 1/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: January 14, 2000

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):

Item No(s): 278 and 279

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

February 15, 2000

RECEIVED FEB 2 5 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: GOODWILL INDUSTRIES OF THE CHES., INC. - 277

Location: DISTRIBUTION MEETING OF JANUARY 18, 2000

Item No.: 277

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

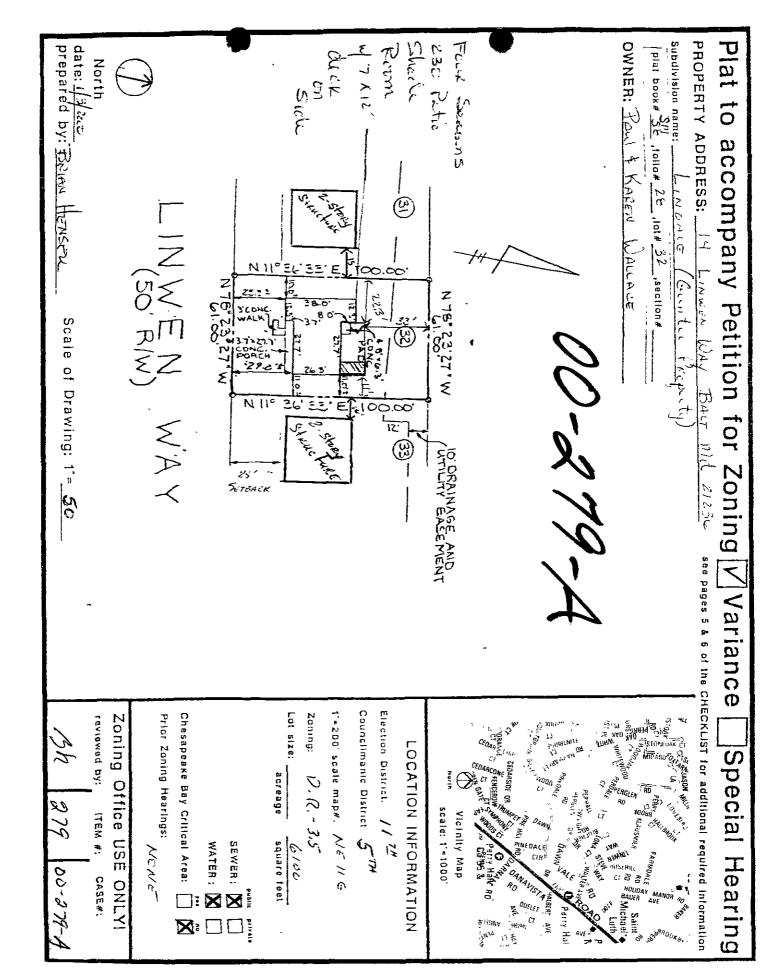
THE FIRE MARSHAL'S OFFICE HAS NO COMMENTS AT THIS TIME REGARDING THE FOLLOWING ITEM NUMBERS:

273, 274, 276, 278, (279) 280, 281, 282, 283, 284, AND 285

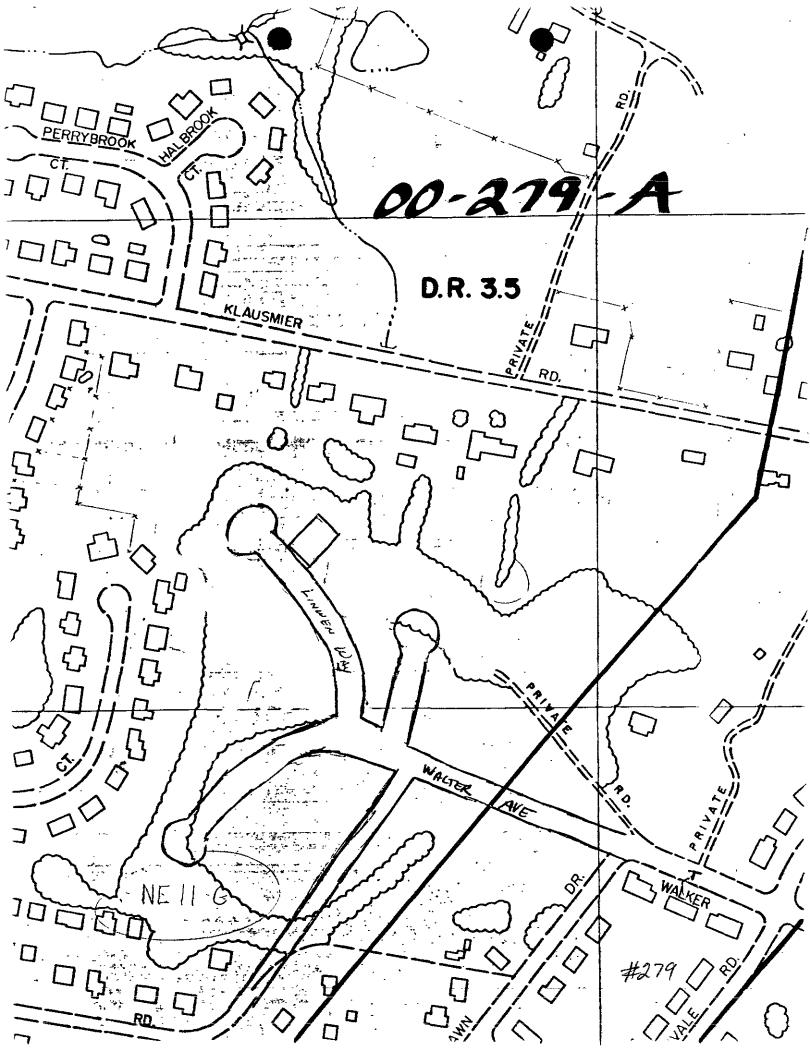
REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

. .:37



PET. EX.#1



60-379-A



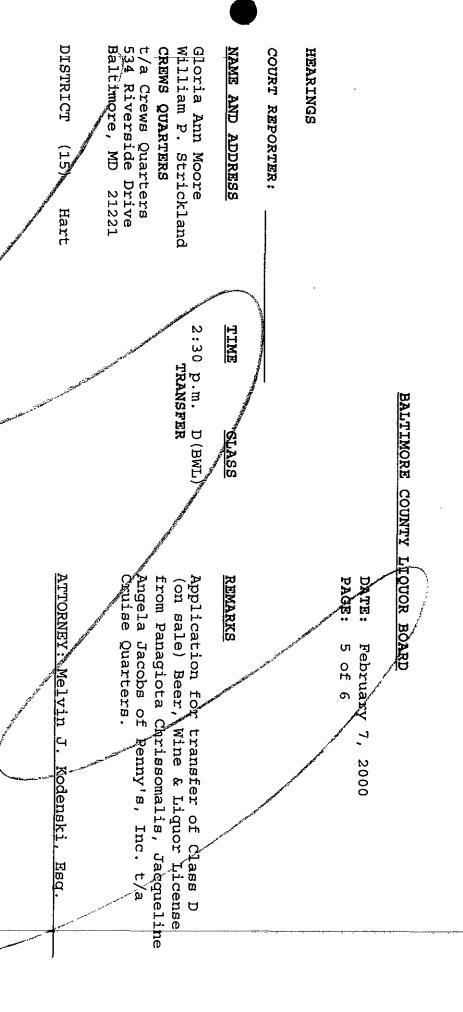
WALLACE, PAUL & KAREN



Wounce, Paul & KAREN



WALLACE, Paul & KAREN



J & W CATERING, INC. t/a Edgerock Café 2307 Sparrows Point Road Baltimore, MD 21219

John C. Laird Charles T. Care

2:45 p.m. B (BWL)
TRANSFER & CHANGE
OF LOCATION

Application for transfer & change of location of Class B (on sale) Beer, Wing & Liquor License from Farhan Aslam, Noman Aslam of Double "D" Diner, Inc. t/a Double D Diner 9609 Pulaski Hwy. Baltimore, MD 21220.

DISTRICT (15) Brooks

ATTORNEY: Melvin J. Kodenski, Esq.

